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07 UNITED STATES DISTRICT COURT
08 WESTERN DISTRICT OF WASHINGTON
09 AT SEATTLE

10 UNITED STATES OF AMERICA,)
11) Case No. CR00-0275-MJP-JPD
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15 An initial revocation hearing on supervised release violations in this case was
16 scheduled before the undersigned Magistrate Judge on February 7, 2006. The United States
17 was represented by Assistant United States Attorney Susan Dohrman, and the defendant by
18 Mr. James Vonasch. The proceedings were recorded on cassette tape.

19 The defendant had been sentenced on or about December 15, 2006, by the Honorable
20 Marsha J. Pechman to twenty-one (21) months in custody followed by sixty (60) months of
21 supervised release on a charge of conspiracy to commit bank fraud.

22 In addition to the standard conditions of supervised release, which includes
23 compliance with all local, state, and federal laws, special conditions of supervised release
24 were imposed. These special conditions included, but were not limited to, mental-health
25 treatment programs, obtaining no new credit, financial disclosure, restitution, and sixty (60)
26 hours of community service.

REPORT AND RECOMMENDATION OF
U.S. MAGISTRATE JUDGE AS TO ALLEGED
VIOLATIONS OF SUPERVISED RELEASE
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01 Defendant's sentence was revoked on August 24, 2004, because of admitted
02 violations of his conditions of supervised release. Defendant was sentenced to the custody of
03 the Attorney General of Washington for twenty (20) days, with credit for time served, plus a
04 term of supervised release of forty-eight (48) months, along with the reinstatement of his
05 previous conditions of supervised release.

06 A warrant for defendant's arrest was issued on December 16, 2005, and defendant
07 was charged with violations of conditions of his supervised release. On January 3, 2006,
08 defendant appeared before the Honorable J. Kelley Arnold for his initial appearance. He
09 was advised of alleged violations 1 and 2, and was remanded to custody. On January 4,
10 2006, a Supplemental Violation Report was filed.

11 In the Pretrial Petition for Warrant or Summons for Offender Under Supervision
12 dated December 15, 2005, and the Supplemental Violation Report dated January 4, 2006,
13 Mr. Donald E. Moon, U.S. Probation Officer, alleges the following violations of defendant's
14 conditions of supervised release:

15 (1) Failing to notify the probation office within 72 hours of being arrested or
16 questioned by law enforcement, on or about November 4, 2005, in violation of standard
17 condition number 11.

18 (2) Committing the crime of assault, on or about September 9, 2005, in violation
19 of a general condition.

20 (3) Committing the crime of assault, on or about December 19, 2005, in violation
21 of a general condition.

22 (4) Committing the crime of telephone harassment, on or about December 19,
23 2005, in violation of a general condition.

24 The defendant admitted to violation number 1, and waived his rights to any
25 evidentiary hearing as to whether it occurred.

26 At the initial revocation hearing, the government dismissed alleged violations

number 2, 3, and 4 without prejudice.

I therefore recommend that the Court find the defendant violated his conditions of supervised release as to violation number 1, and that the Court conduct a hearing limited to disposition of this violation.

A disposition hearing on violation number 1 will be set before the Honorable Marsha J. Pechman at time to be determined. Pending a final determination by the Court, the defendant has been detained.

DATED this 8th day of February, 2006.

James P. Donohue
JAMES P. DONOHUE
United States Magistrate Judge

cc: District Judge: The Hon. Marsha J. Pechman
AUSA: Ms. Janet Freeman
Defendant's attorney: Mr. James Vonasch
Probation officer: Mr. Don Moon